

2009 DRAFTING REQUEST

Bill

Received: **01/08/2009**

Received By: **rryan**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Wavrunek**

This file may be shown to any legislator: **NO**

Drafter: **rryan**

May Contact:

Addl. Drafters:

Subject: **Criminal Law - law enforcement**

Extra Copies:

Submit via email: **YES**

Requester's email:

Carbon copy (CC:) to:

Pre Topic:

DOA:.....Wavrunek, BB0348 -

Topic:

Statewide public safety interoperable communication system appropriation

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?				_____			S&L
/1	rryan 01/08/2009	kfollett 01/09/2009	mduchek 01/09/2009	_____	cduerst 01/09/2009		S&L
/2	rryan 01/26/2009	kfollett 01/26/2009	rschluet 01/26/2009	_____	cduerst 01/26/2009		S&L
/3	rryan 01/27/2009	kfollett 01/27/2009	jfrantze 01/27/2009	_____	cduerst 01/27/2009		S&L

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/4	rryan 01/30/2009	kfollett 01/30/2009	phenry 01/30/2009	_____	sbasford 01/30/2009		

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14 KJf
1/30
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1/15/09
1/27
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/?	rryan	1/15/09	1/15/09	1/15/09			S&L

FE Sent For:

<END>

2009-11 Budget Bill Statutory Language Drafting Request

- Topic: Create Appropriation for Interoperable Communications
- Tracking Code: BB0348
- SBO team: Agriculture, Environment and Justice
- SBO analyst: Leah Wavrunek
 - Phone: 267-0370
 - Email: leah.wavrunek@wisconsin.gov
- Agency acronym: DOA / OJA
- Agency number: 505
- Priority (Low, Medium, High): High

Intent: Create a Program Revenue-Service annual appropriation at the Office of Justice Assistance that allows OJA to charge other state agencies and local emergency response agencies for use of a statewide public safety interoperable communications system.



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-1376/?

RLR: 1/8/08

In 1/8/08

RMR

DOA:.....Wavrunek, BB0348 - Statewide public safety interoperable communication system appropriation

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

Don't Gen

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

CRIMES

LAW ENFORCEMENT

X Current law requires the Office of Justice Assistance (OJA) to provide staff support for oversight and development of a statewide public safety interoperable communication system. This bill authorizes OJA to charge state and local public safety agencies a fee for using the system.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2 **SECTION 1.** 16.964 (1) (intro.) and (a) to (i) of the statutes are renumbered
3 16.964 (1m) (intro.) and (a) to (i), and 16.964 (1m) (intro.), as renumbered, is amended
4 to read:

1

16.964 (1m) The office of justice assistance shall:

History: 1987 a. 27; 1989 a. 31, 122; 1991 a. 39; 1993 a. 193; 1997 a. 252; 1999 a. 9 ss. 110, 110j, 2294m; 2001 a. 16 ss. 3349d, 3350, 3351d; 2003 a. 33 ss. 230, 1159, 1161, 1163, 1165; 2005 a. 25, 60, 433; 2007 a. 20 ss. 123 to 125g, 3126 to 3128, 9121 (6) (a); 2007 a. 79, 96.

2 SECTION 2. 16.964 (1) (j) of the statutes is renumbered 16.964 (15) (a) and
3 amended to read:

4 16.964 (15) (a) Provide The office shall provide staff support for the
5 interoperability council under s. 16.9645 and oversight of the development and
6 operation of a statewide public safety interoperable communication system.

History: 1987 a. 27; 1989 a. 31, 122; 1991 a. 39; 1993 a. 193; 1997 a. 252; 1999 a. 9 ss. 110, 110j, 2294m; 2001 a. 16 ss. 3349d, 3350, 3351d; 2003 a. 33 ss. 230, 1159, 1161, 1163, 1165; 2005 a. 25, 60, 433; 2007 a. 20 ss. 123 to 125g, 3126 to 3128, 9121 (6) (a); 2007 a. 79, 96.

7 SECTION 3. 16.964 (1g) of the statutes is created to read:

8 16.964 (1g) In this section, "office" means the office of justice assistance.

9 SECTION 4. 16.964 (2) of the statutes is amended to read:

10 16.964 (2) All persons in charge of law enforcement agencies and other criminal
11 and juvenile justice system agencies shall supply the office with the information
12 described in sub. (1) (1m) (g) on the basis of the forms or instructions or both to be
13 supplied by the office under sub. (1) (1m) (g).

History: 1987 a. 27; 1989 a. 31, 122; 1991 a. 39; 1993 a. 193; 1997 a. 252; 1999 a. 9 ss. 110, 110j, 2294m; 2001 a. 16 ss. 3349d, 3350, 3351d; 2003 a. 33 ss. 230, 1159, 1161, 1163, 1165; 2005 a. 25, 60, 433; 2007 a. 20 ss. 123 to 125g, 3126 to 3128, 9121 (6) (a); 2007 a. 79, 96.

14 SECTION 5. 16.964 (15) (b) of the statutes is created to read:

15 16.964 (15) (b) The office may charge a public safety agency, as defined in s.
16 256.35 (1) (g), a fee for use of the statewide public safety interoperable
17 communication system under par. (a).

18 SECTION 6. 20.505 (6) (j) of the statutes is created to read:

19 20.505 (6) (j) *Public safety interoperable communications system; local fees.*

20 The amounts in the schedule to operate a statewide public safety interoperable
21 communication system. All moneys received from public safety agencies, other than
22 state agencies, as fees under s. 16.964 (15) (b) shall be credited to this appropriation
23 account.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 7. 20.505 (6) (ka) of the statutes is created to read:

20.505 (6) (ka) *Public safety interoperable communications system; state fees.*

The amounts in the schedule to operate a statewide public safety interoperable communication system. All moneys received from public safety agencies that are state agencies as fees under s. 16.964 (15) (b) shall be credited to this appropriation account.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

(END)

Ryan, Robin

From: Ryan, Robin
Sent: Sunday, January 25, 2009 10:56 AM
To: Wavrunek, Leah J - DOA
Subject: RE: Changes to LRB-1376/1

Leah, your instructions clear -- I just never saw the first e-mail.
 Yes, the public safety agencies include state as well as local agencies.

I created separate appropriations because the state fees are program revenue-service and the local fees are just program revenue. My understanding is that for state accounting, we count PR-S twice, both as an expenditure by the paying agency and a revenue by the receiving agency. I didn't want to interfere with state budget accounting by lumping the state and local fees together. Let me check with a more senior drafter Monday morning before making this change.

robin

From: Wavrunek, Leah J - DOA [mailto:Leah.Wavrunek@wisconsin.gov]
Sent: Friday, January 23, 2009 3:22 PM
To: Ryan, Robin
Subject: FW: Changes to LRB-1376/1

Hi Robin,

I realize my email below is not very specific in that I am looking to make changes to the draft LRB-1376/1, creating an appropriation for fees for a statewide interoperability system. My specific change is I want to eliminate the appropriation under 20.505(6)(j) relating to local fees.

Next, I am wondering if the definition of public safety agency cover state and local agencies?

If you have any questions, I'll be around all weekend.
 Thank you very much,
 leah

From: Wavrunek, Leah J - DOA
Sent: Saturday, January 17, 2009 2:40 PM
To: Ryan, Robin - LEGIS
Subject: Changes to LRB-1376/1

Hi Robin,

Does the definition of public safety agency under s. 256.35(1)(g) include local and state public safety agencies?

I would like to remove the appropriation for local fees from the draft, but was wondering if we left 20.505(6)(ka) as just "fees for public safety agencies," if that would be broad enough to include local and state agencies.

Thanks,
 leah

Leah Wavrunek
 State Budget Office
 Ph: (608) 267-0370
 F: (608) 267-0372
 leah.wavrunek@wisconsin.gov

01/26/2009

Ryan, Robin

From: Wavrunek, Leah J - DOA [Leah.Wavrunek@wisconsin.gov]
Sent: Monday, January 26, 2009 8:19 AM
To: Ryan, Robin
Subject: RE: LRB-1376 interoperable communication system

If we can't combine appropriations, then I would like to delete the appropriation for local fees (and worry about that next biennium) and just keep the appropriation for state agencies. Thank you!

From: Ryan, Robin [mailto:Robin.Ryan@legis.wisconsin.gov]
Sent: Monday, January 26, 2009 8:07 AM
To: Wavrunek, Leah J - DOA
Subject: LRB-1376 interoperable communication system

Hi Leah,
I checked with a senior drafter about combining the appropriations in LRB 1376. She agreed with me that we should not combine the appropriations. Let me know if this is a problem.

Robin

Ryan, Robin

From: Wavrunek, Leah J - DOA [Leah.Wavrunek@wisconsin.gov]
Sent: Friday, January 23, 2009 3:22 PM
To: Ryan, Robin
Subject: FW: Changes to LRB-1376/1

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I realize my email below is not very specific in that I am looking to make changes to the draft LRB-1376/1, creating an appropriation for fees for a statewide interoperability system. My specific change is I want to eliminate the appropriation under 20.505(6)(j) relating to local fees.

Next, I am wondering if the definition of public safety agency cover state and local agencies?

If you have any questions, I'll be around all weekend.
Thank you very much,
leah

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Sent: Saturday, January 17, 2009 2:40 PM
To: Ryan, Robin - LEGIS
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Hi Robin,

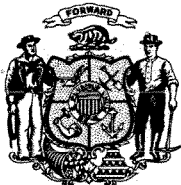
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Leah Wavrunek
State Budget Office
Ph: (608) 267-0370
F: (608) 267-0372
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01/25/2009



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-1376/1

RLR:kjf:md

In 1/26/09

RMR

DOA:.....Wavrunek, BB0348 -- Statewide public safety interoperable communication system appropriation

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

Don + Gen

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

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4 to read:

1 16.964 (1m) The office of justice assistance shall:

2 **SECTION 2.** 16.964 (1) (j) of the statutes is renumbered 16.964 (15) (a) and
3 amended to read:

4 16.964 (15) (a) ~~Provide~~ The office shall provide staff support for the
5 interoperability council under s. 16.9645 and oversight of the development and
6 operation of a statewide public safety interoperable communication system.

7 **SECTION 3.** 16.964 (1g) of the statutes is created to read:

8 16.964 (1g) In this section, "office" means the office of justice assistance.

9 **SECTION 4.** 16.964 (2) of the statutes is amended to read:

10 16.964 (2) All persons in charge of law enforcement agencies and other criminal
11 and juvenile justice system agencies shall supply the office with the information
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15 16.964 (15) (b) The office may charge a public safety agency, as defined in s.
16 256.35 (1) (g), a fee for use of the statewide public safety interoperable
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Ryan, Robin

From: Wavrunek, Leah J - DOA [Leah.Wavrunek@wisconsin.gov]
Sent: Tuesday, January 27, 2009 11:56 AM
To: Ryan, Robin
Subject: LRB-1376/2

Hi Robin,

The draft looks good to go, I just noticed that the analysis section still references local public safety agencies being charged a fee, which I thought wasn't going to happen with maintaining only a state agency fee appropriation.

Thanks,
leah

Leah Wavrunek
State Budget Office
Ph: (608) 267-0370
F: (608) 267-0372
leah.wavrunek@wisconsin.gov

01/27/2009



State of Wisconsin
2009 - 2010 LEGISLATURE

3
LRB-1376/2

RLR:kjfrs

In 1/27/09

DOA:.....Wavrunek, BB0348 - Statewide public safety interoperable communication system appropriation

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*that is a
state agency*

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1

(END)



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-1376/3
RLR:kjf:jf

DOA:.....Wavrunek, BB0348 - Statewide public safety interoperable
communication system appropriation

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

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1

(END)

D-Note

**2009-2010 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1376/4ins
RLR:.....

1

Ins 2-3:

***NOTE: This is reconciled s. 16.964 (1). This SECTION has been affected by drafts with the following LRB numbers: 1282 and 1376.

2

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4

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Ins 2-8:

***NOTE: This is reconciled s. 16.964 (1g). This SECTION has been affected by drafts with the following LRB numbers: 1282 and 1376.

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Ins 2-13:

***NOTE: This is reconciled s. 16.964 (2). This SECTION has been affected by drafts with the following LRB numbers: 1282 and 1376.

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1376/4dn

RLR:...

Date

✓ 14 *✓ 14* *Both*
X This draft reconciles LRB-1282 and LRB-1376. All of these drafts should continue to appear in the compiled bill.

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**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1376/4dn
RLR:kjf:ph

January 30, 2009

This draft reconciles LRB-1282/4 and LRB-1376/4. Both of these drafts should continue to appear in the compiled bill.

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State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-1376/4

RLR:kjf:ph

DOA:.....Wavrunek, BB0348 - Statewide public safety interoperable
communication system appropriation

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

CRIMES

LAW ENFORCEMENT

Current law requires the Office of Justice Assistance (OJA) to provide staff support for oversight and development of a statewide public safety interoperable communication system. This bill authorizes OJA to charge state public safety agencies a fee for using the system.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2 SECTION 1. 16.964 (1) (intro.) and (a) to (i) of the statutes are renumbered
3 16.964 (1m) (intro.) and (a) to (i), and 16.964 (1m) (intro.), as renumbered, is amended
4 to read:

1 16.964 (1m) (intro.) The office of justice assistance shall:

2 **SECTION 2.** 16.964 (1) (j) of the statutes is renumbered 16.964 (15) (a) and
3 amended to read:

4 16.964 (15) (a) ~~Provide~~ The office shall provide staff support for the
5 interoperability council under s. 16.9645 and oversight of the development and
6 operation of a statewide public safety interoperable communication system.

 ****NOTE: This is reconciled s. 16.964 (1). This SECTION has been affected by drafts
with the following LRB numbers: 1282/4 and 1376/4.

7 **SECTION 3.** 16.964 (1g) of the statutes is created to read:

8 16.964 (1g) In this section, "office" means the office of justice assistance.

 ****NOTE: This is reconciled s. 16.964 (1g). This SECTION has been affected by drafts
with the following LRB numbers: 1282/4 and 1376/4.

9 **SECTION 4.** 16.964 (2) of the statutes is amended to read:

10 16.964 (2) All persons in charge of law enforcement agencies and other criminal
11 and juvenile justice system agencies shall supply the office with the information
12 described in sub. (1) ~~(1m)~~ (g) on the basis of the forms or instructions or both to be
13 supplied by the office under sub. (1) ~~(1m)~~ (g).

 ****NOTE: This is reconciled s. 16.964 (2). This SECTION has been affected by drafts
with the following LRB numbers: 1282/4 and 1376/4.

14 **SECTION 5.** 16.964 (15) (b) of the statutes is created to read:

15 16.964 (15) (b) The office may charge a public safety agency, as defined in s.
16 256.35 (1) (g), that is a state agency a fee for use of the statewide public safety
17 interoperable communication system under par. (a).

18 **SECTION 6.** 20.505 (6) (ka) of the statutes is created to read:

19 20.505 (6) (ka) *Public safety interoperable communication system; state fees.*
20 The amounts in the schedule to operate a statewide public safety interoperable
21 communication system. All moneys received from public safety agencies that are

- 1 state agencies as fees under s. 16.964 (15) (b) shall be credited to this appropriation
- 2 account.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

- 3 (END)